

Applicant : Peter S. MacLeod  
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Attorney's Docket No.: 07844-357001 / P333

### REMARKS

Claims 1-63 are pending. Claims 1, 22 and 43 are independent claims. The applicant respectfully traverses the rejected claims.

### 103 REJECTIONS

Claims 1-2, 11-13, 22, 23, 43, 44, 53 and 54 stand rejected under 35 U.S.C. Section 103(a) as being unpatentable over U.S. Patent No. 6,459,436 to Kumada et al. ("Kumada"). Claim 1 recites "identifying a device color profile associated with a device; and automatically selecting a rendering intent based on the color characteristics of the device, the color characteristics being defined by the device color profile." The applicant respectfully traverses the rejection of claim 1 because claim 1 includes elements not disclosed or suggested by Kumada.

Examiner asserts that Kumada discloses automatically selecting a rendering intent based on the viewing condition of the device wherein the viewing condition is defined by the device color profile. (Figs. 1-3, 19; Abstract; col. 7, line 57 – col. 8, line 11; col. 8, line 56 – col. 10, line 6). The applicant respectfully disagrees.

Kumada discloses three steps in these cited portions. Col. 7, line 57 – col. 8, line 11; Fig. 3. First, Kumada discloses generation of a look up table (LUT) which converts data dependent on an input device to data of the device-independent color space which accords to a white point of ambient light at the time of viewing an image formed on an original. Col. 7, lines 58–62; Col. 7, lines 18-25; col. 8, line 56 – col. 9, line 57. Second, Kumada discloses selection of a gamut mapping mode. Col. 7, lines 62–66; Col. 9, line 58 – col. 10, line 6. Finally, the cited portion of Kumada discloses a process of performing gamut mapping. Col. 7, line 66 – col. 8, line 3; col. 10 line 7 – col. 10, line 52.

The only portion in the text related to rendering intent reads: "A gamut mapping mode is selected by a user through a user interface, or automatically selected by Rendering Intent included in the header of a source profile." Col. 9, lines 60–62. The gamut mapping mode in Kumada describes "whether the gamut mapping is performed in the JCH color perception space or in the QMH color perception space." Col. 7, lines 62–65. This is selected either explicitly by

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the user or chosen automatically by a designation in the profile of a rendering intent. Col. 7, lines 65-66; col. 9, lines 60-62. In particular, the text of Kumada states that if the Rendering Intent in the profile is Perceptual, Relative Colorimetric, or Saturation, then the gamut mapping mode of JCH color space is automatically selected. Col. 9, line 65 - col. 10, line 1. If the Rendering Intent in the profile is Absolute Colorimetric, then the gamut mapping mode of QM/H color space is automatically selected. Col. 10, lines 2-3. The cited portion discusses automatic selection only of a gamut mapping mode. There is no disclosure or suggestion that the rendering intent itself can be automatically selected.

Examiner further asserts that even though the rendering intent in Kumada must be included in the source profile, that a plurality of rendering intents are included in the header of the source or destination profile and one of these is automatically selected based on the viewing condition of the source or destination profile, citing col. 9, line 60 - col. 10, line 52. The applicant respectfully disagrees. Examiner's cited portion discusses automatic selection only of a gamut mapping mode as discussed above. If a plurality of rendering intents, such as saturation and absolute colorimetric, are given in the source profile, Kumada does not disclose or suggest automatic selection of one of these rendering intents.

For at least the above reasons, the applicant respectfully submits that independent claims 1, 22, and 43 are in condition for allowance. The applicant also respectfully submits that claims 2, 11-13, 23, 44, 53, and 54, which each depend from a respective one of these independent claims, are for at least that reason also in condition for allowance.

Claims 3, 4, 24, 25, 45, and 46 stand rejected under 35 U.S.C. Section 103(a) as being unpatentable over Kumada as applied to claims 1 and 22, and further in view of U.S. Patent No. 6,043,909 to Hobub ("Hobub"). Claims 13, 34 and 55 stand rejected under 35 U.S.C. Section 103(a) as being unpatentable over Kumada as applied to claims 1 and 22, and further in view of U.S. Patent No. 5,578,824 to Koguchi ("Koguchi"). Claims 18-21, 39-42, 60-63 stand rejected under 35 U.S.C. Section 103(a) as being unpatentable over Kumada as applied to claims 1, 22 and 43, and further in view of U.S. Patent No. 5,539,540 to Spaulding et al. ("Spaulding"). Claims 3, 4, 13, 18-21, 24, 25, 34, 39-42, 45, 46, 55 and 60-63 each depend directly or indirectly from one of claims 1, 22, and 43 and incorporate elements of these independent claims. In

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particular, all of the dependent claims incorporate the above cited "automatically selecting" feature of claims 1, 22, and 43. As discussed, Kumada does not disclose or suggest the concept of automatically selecting a rendering intent. The Examiner does not contend that Hobub, Koguchi, or Spaulding discloses or suggests this limitation. Accordingly, Kumada, Hobub, Koguchi, and Spaulding, either alone or in combination, do not disclose or suggest at least this limitation of claims 3, 4, 13, 18-21, 24, 25, 34, 39-42, 45, 46, 55 and 60-63. For at least this reason, the applicant respectfully submits that these claims are in condition for allowance.

#### ALLOWABLE SUBJECT MATTER

Claims 5-10, 14-17, 26-31, 35-38, 47-52 and 56-59 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the base claim and any intervening claims. The applicant respectfully submits that because the base claims are in condition for allowance, the dependent claims are also allowable.

The applicant submits that all claims are in condition for allowance. No fees are believed to be due. Please apply any appropriate charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 3/25/05

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